

Aberdeenshire Council
Civic Government (Scotland) Act 1982
Section 41 and Schedule 1
Public Entertainment Licence
Fairground Conditions

1. The Licence must be displayed on the site in such a place and in such a manner as to be easily read by the public showing the maximum number of persons allowed on the site.
2. The use of the site is restricted to that of a Fairground or Circus on the date or dates specified on the Licence. The entertainment shall finish at the time in the evening shown on the Licence.
3. The Licence holder shall be liable for any act or omission in contravention of, or non-compliance with, any of these conditions either by himself, any of the owners of any structures, any of the operators of any of the devices or equipment on the site or any of the attendants whether employed by him or by the said owners or operators.
4. While the site is in use as a Fairground or Circus the Licence holder, or in the absence of the Licence holder, a person holding authority from him must be in charge of the site. The Licence holder or such authorised person must inspect the site and any structures thereon before members of the public are admitted and he must ensure that he will not be engaged in duties which might prevent him from exercising general supervision of the site. He must also remain on site for at least thirty minutes after all members of the public have left.
5. In the case of a Fairground the Licence holder shall exhibit to the Council valid Test Certificates issued by or on behalf of reputable insurers certifying that each item of passenger carrying equipment has been tested and is insured. The appropriate "Certificate of Engineer's Inspection" issued by the Showmen's Guild must be displayed at or near to each device. For both Fairgrounds and Circuses a policy of public liability insurance with a reputable insurance company for a sum acceptable to the Council shall be exhibited to the Council, who may demand at any time, evidence that the premiums in respect of such policy have been timeously paid.
6. The Licence holder must ensure that a minimum horizontal distance of 8 metres is maintained between the boundary of any dwellinghouse or building and all devices, equipment, structures etc., on the site. The layout of the site must take into account the following fire safety factors: -
 - a) Access and egress for the public, emergency vehicles and equipment;
 - b) Proximity of surrounding buildings and vegetation and the risks in the spread of fire;
 - c) The need for a telephone call to the Fire Brigade;
 - d) The availability of mains services; and
 - e) The slope or unevenness of the ground.
7. The layout of the site should be arranged so as to allow for adequate means of access by fire fighting vehicles to within 50 metres of any part of the site. Access routes should not be less than 4 metres wide and should have no overhead structure or cable less than 4.5 metres

above the ground. Access routes must also be capable of taking the weight of fire-fighting appliance (approximately 12.5 tons) in all weathers. Access to hydrants and other water supplies must not be obstructed or obscured.

8. All approaches, passages, alleys and gaps between stalls shall be kept entirely free from obstruction and shall be of such arrangement, width and pattern as may approved by the Firemaster. The spacing between caravans and other structures shall not be less than 6 metres.
9. Exits from the site shall not be secured in a manner likely to prevent or impede safe means of escape in the event of an emergency. All exits necessary to provide means of escape must be clearly and conspicuously indicated and must be kept lit not only by normal lighting but also by the system of emergency lighting aftermentioned. All fire safety signs, notices and graphic symbols must conform with B.S. 5499: Part 1.
10. Where the public are admitted inside structures, a sufficient number of competent attendants must be on duty. These attendants must be instructed as to their responsibilities in the event of a fire or other emergency.
11. In relation to tented structures, newly manufactured membranes and fabrics must be of inherently flame-retardant fabric or durably flame-retardant fabric when tested to B.S (i.e. British Standard) 5438 or such amending British Standard specification as may be in force at the time. Existing materials and structures manufactured to the previous B.S. 3120 continue to be acceptable until replaced. All supporting poles, frames, guys, stakes, anchors, fastenings etc., must be regularly tested by the supplier and maintained in a safe condition. The structure must be erected by a competent person and must not readily collapse when exposed to fire. Rigid linings (e.g. wall boards) used in structures must have not less than a Class 1 surface spread of flame rating as described in B. S. 486: Part 7 or such amending British Standard as may be force at the time.
12. In all structures any decorative surface finishing, including any fabric which is permitted to be attached to any structure shall be non-toxic and either non-combustible, inherently non-flammable or durably flame-proofed. All staging, curtains, drapes and fabrics in use shall be rendered and maintained flame resistant.
13. A central fire point under the control and protection of either the Licence holder or a person authorised by him must be established to contain portable fire-fighting equipment. Adequate numbers of fire-fighting appliances must be provided and such appliances and equipment must always be kept in good working order and condition to the satisfaction of the Firemaster. The fire point should comprise multi-purpose dry powder type extinguishers with a capacity of at least 2.5Kg. per 200 square metres of entertainment area. The location of the fire point must be known not only to the Licence holder and the authorised person but also to the owners and operators of any devices or equipment, the attendants and any performers of entertainment. The Licence holder shall ensure that all owners and operators of equipment as well as employees attendants while on duty while the site is in use are instructed in the fire safety precautions to be observed and the action to be taken in the event of fire or other emergency and shall ensure in particular that adequate precautions are taken to provide for the safe evacuation of children and handicapped persons in such circumstances.
14. No article shall be placed on top of, in front of or near any fire appliance to prevent, hinder or delay the said appliance being used immediately. Any direction issued by the Firemaster shall be complied with immediately.

15. The use of stage and sound effects, smoke bombs, smoke generators, flash powder, flash boxes, detonators and similar items shall not be used except with the approval of the Firemaster.
16. Except with the prior special permission of the Council, no exhibition, demonstration or performance of hypnotism within the meaning of the Hypnotism Act 1952, shall be given within the site.
17. All temporary or permanent electrical installations at the site shall comply with the current legislation and with the Regulations of the Institute of Electrical Engineers applicable at the time of the installation or any subsequent replacement or renewal. Any temporary electrical installation must be carried out by or under the supervision of a competent electrician. Residual current protection devices shall be provided between any amplification or ancillary lighting system and the electricity supply. The protection device must have an adequate load rating and a 30 milliamp tripping circuit with a maximum operating time of 30 milliseconds.
18. Any stage, platform, circus ring or element in a fairground to which the public are admitted shall be lit to the satisfaction of the Firemaster. Where the public have access inside structures which could be plunged into darkness if the lighting was to fail a separate system of emergency lighting shall also be provided to comply with B.S. 5266: Part 1, or such amending British Standard as may be in force at the time, and which shall be kept lit throughout the whole time the site is open to the public.
19. Every structure on the site shall comply with the following requirements where appropriate as regards exits and exit routes: -
 - a) Where the structure or any room within a structure is intended to hold less than 50 persons one emergency exit in addition to the normal exit will be sufficient;
 - b) Where the structure or any room within a structure is intended to hold more than 50 persons then there must be not less than two emergency exits in addition to the normal exit;
 - c) None of the exits must be less than 1.05 metres in width. They must also be distributed evenly around the structure in order to ensure that genuine escape routes are available from all parts of the structure;
 - d) From any part of a room or structure having more than one exit the distance to travel for any person must not be more than 18 metres. For a room or structure having only one exit the distance to travel must not be more than 6.5 metres.
 - e) While any person is within a structure, the doors of the structure and of any room within the structure which affords a means of exit, should not be locked or fastened in such a manner that they cannot easily and immediately be opened from the inside. All doors on an exit route should open outwards in order that in an emergency all persons can escape without impediment. Exit routes must be kept clear of obstruction at all times.
20. The Licence holder shall ensure:-
 - a) that the site is maintained in a clean and tidy condition;
 - b) that there are sufficient suitable refuse collection receptacles provided both at the site and within all structures for use by the public and by the said owners, operators and attendants;

- c) that adequate toilet provision for use both by the public and by the said owners, operators and attendants is made. The contents of chemical toilets shall be disposed of at the local Public Conveniences. The toilets must be left in a clean and tidy condition.
- d) that adequate arrangement for the disposal of chemical toilets from residential caravans are made; and
- e) The site licence holder shall be responsible for making arrangements for the uplifting and removal of refuse and for ensuring the area is litter free. Waste from events is commercial waste and any waste collection should be made in accordance with the Duty of Care regulations.

Prior to leaving the site at the end of each day the licence holder shall ensure that it is left in a clean and tidy condition. Sites should be cleaned in accordance with the Code of Practice for Litter and Refuse (2006) issued under section 89 of the Environmental Protection Act 1990.

If no arrangements be made and the site is not left in a clean and tidy condition at the end of the event, Aberdeenshire Council or its appointed contractor may carry out the necessary works to return the site to the required standard. The costs of this clean up will then be recovered from the Licence holder.

Aberdeenshire Council can provide a service for event waste collection, including a recycling service or clean up. Consideration should always be given to reducing, re-using and recycling of waste generated at events. For further information or advice contact the Trade Waste Team on 0845 600 3 900 or by e-mail to trade.waste@aberdeenshire.gov.uk.

- 21. The Council or any person authorised by them, and any police officer or duly authorised representative of any statutory authority, shall have access to the site at any reasonable time for the purpose of inspecting and examining the same.
- 22. Good order and decency shall be maintained on the site, and in the case of the Police being required to deal with any incidence of disorder, the Licence holder and the said owners, operators and attendants shall assist to their utmost in the restoration of good order.
- 23. The Licence holder shall comply with the terms of the Health and Safety Executive Booklet HS (G) 175: Fairgrounds and Amusement Parks, A Guide of Safe Practice, published by HSE books.
- 24. If any entertainment provided at the site or any advertisement relating to the entertainment is, in the opinion of the Council, indecent, vulgar or lacking in good taste in whole or part, they may direct the Licence holder to stop such entertainment or remove such advertisement or to modify it in such a way as to remove the cause of the offence, and if the Licence holder refuses or fails or neglects to comply with the direction of the Council he shall be deemed to be in breach of these conditions.
- 25. The Licence holder shall surrender the Licence if and when called upon by the Head of Service to do so for the purpose of alteration in accordance with any decision of the Council.
- 26. Definitions:-
 - a) "Council" means Aberdeenshire Council;
 - b) "Head of Service" means the Head of Service the relevant division of the Law and Administration Service of Aberdeenshire Council;

- c) "Head of Environmental Health" means the Head of Service for the Planning and Environmental Health Service of Aberdeenshire Council;
- d) "Firemaster" means the Firemaster of Scottish Fire and Rescue Service.